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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/632,004	07/30/2003	Hiroshi Hirayama	16869S-086000US	2294		
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			DATE MAILED: 10/02/2004	•		

Please find below and/or attached an Office communication concerning this application or proceeding.

1)⊠ Responsive to communication(s) filed on <i>QB August 2006</i> .  2a)⊠ This action is FINAL. 2b)□ This action is non-final.  3)□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)☑ Claim(s) <i>f_6</i> is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5)☑ Claim(s) <i>f_6</i> is/are allowed.  6)☑ Claim(s) <i>f_6</i> is/are rejected. 7)□ Claim(s) is/are objected to. 8)□ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9)□ The specification is objected to by the Examiner.  10)□ The drawing(s) filed on is/are: a)□ accepted or b)□ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11)□ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12□ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)□ All b)□ Some * ○□ None of:  1.□ Certified copies of the priority documents have been received.  2.□ Certified copies of the priority documents have been received in Application No  3.□ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.			Application No.	Applicant(s)					
NABIL Z. HIND    2677	Office Action Summary		10/632,004	HIRAYAMA ET AL					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address = Period for Reply Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Exeminor to the maybe a validate under the provisors of 37 CFR 1-1306, in no event, however, may a reply be timely filed  If NO period for reply is appecified above, the maximum statutory period will apply and will expire SIX (5) MONTH'S from the mailing date of this communication.  Fallus to reply within the set or excelled period for righy is specified above. The maximum statutory period will apply and will expire SIX (5) MONTH'S from the mailing date of this communication, even if timely filed, may reduce any statutory plants the mailing date of this communication, even if timely filed, may reduce any statutory plants the mailing date of this communication, even if timely filed, may reduce any statutory plants the mailing date of this communication, even if timely filed, may reduce any statutory plants that the mailing date of this communication, even if timely filed, may reduce any statutory plants that the mailing date of this communication, even if timely filed, may reduce any statutory plants that the mailing date of this communication, even if timely filed, may reduce any statutory plants and the mailing date of this communication.  Status  Status  Status  Status  Status  Alpha Responsive to communication(s) filed on <u>08 August 2006.</u> 2a ② This action is FINAL. 2b ○ This action is non-final.  3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice of the priorid status.  4 ③ Claim(s) <u>1-6</u> is/are plecited.  7) □ Claim(s) <u>1-6</u> is/are are plecited.  7) □ The drawing(s) filed on <u>1-6</u> is/are rejected.  8 □			Examiner	Art Unit					
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12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08)  5) Notice of Informal Patent Application	11)∐ Th	e oath or declaration is objected to by the Ex	kaminer. Note the attached	Office Action or form PT	O-152.				
a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08)  5) Notice of Informal Patent Application	Priority und	ler 35 U.S.C. § 119							
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In response to applicant's amendment dated August 08, 2006. the following action is taken:

Claims 5 and 6 are rejected for the same reason set forth in the previous office action repeated herein.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 2002-109750.

Claims 5 and 6 merely read on detecting the linking position based on address and sync signal obtained from a wobbled track. The reference shows an optical disk having a ADIP track with address and sync information wherein the linking position is determined based on the sync timing as cited by the abstract.

Claims 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by the admitted prior art.

Claims 5 and 6 merely drawn to the use of a sync signal in a ADIP track to determine a linking position. The admitted prior art as cited on page 4 determines the linking position based in part on the sync-timing signal meeting the claimed invention.

Claims 1-4 are allowed.

Application/Control Number: 10/632,004

Art Unit: 2627

Applicant's arguments filed August 08, 2006 have been fully considered but they are not persuasive. Applicant's arguments are drawn to the reference not showing the use of an address data in the EFM to determine the linking portion. However, claim 6 is drawn to an alternative limitation "or" wherein only one of the limitation is needed to be shown in the reference to meet the claimed invention. Applicant's attention is drawn to page 4 line of the admitted prior art showing the use of ADIP sync and ADIP address in detecting the linking portion meeting the claimed invention.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to NABIL Z. HINDI at telephone number (571) 272-7618.

PRIMARY EXAMINER

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Page 3